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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
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EDWARD B. EVANS 1936-1971

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May 20, 2004

**FACSIMILE COVER SHEET**

To: Examiner K. Gross  
Group Unit No. 2122  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Fax: 703-872-9306

From: Thomas W. Humphrey

Re: Our File: IBM-09B  
US Application Serial No. 09/626,982  
Filed July 27, 2000  
SKIP LIST DATA STORAGE  
DURING COMPILATION  
William Jon Schmidt  
Client Reference: RO997-127

Pages: 16 (including cover sheet)

**MESSAGE/COMMENTS**

Confirmation copy will not follow.

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PATENT  
ATTY. DOCKET NO. IBM/09B

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William Jon Schmidt Art Unit: 2122  
Serial No. : 09/626,982 Examiner: K. Gross  
Filed : July 27, 2000  
For : SKIP LIST DATA STORAGE DURING COMPILATION

Mail Stop Appeal Brief-Patents  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE-TRANSMITTAL OF APPEAL BRIEF

1. Transmitted herewith, in triplicate, is the REVISED APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on October 24, 2003. This second submission of the Appeal Brief is in response to a Notification of Non-Compliance with 37 CFR 1.192(3) dated April 20, 2004..

## 2. STATUS OF APPLICANT

This application is on behalf of:

- ☒ Other than a Small Entity  
☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.  
☐ Enclosed is a verified statement to establish Small Entity status

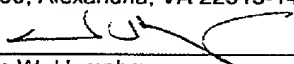
## 3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 CFR 1.17(f), the fee for filing the Appeal Brief is:

- ☐ Small Entity (\$160.00)  
☐ Large Entity (\$320.00)

Appeal Brief Fee Due \$ Paid with original submission.

I hereby certify that this correspondence is being deposited ~~with the United States Postal Service as first class mail, to 703-872-9306~~ *facsimile transmittal* postage prepaid in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner of Patents, P.O. Box:1450, Alexandria, VA 22313-1450 on: May 20, 2004

  
Thomas W. Humphrey  
Reg. No. 34,353

## 4. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- (a)\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)		Fee for other than small entity	Fee for small entity
_____	one month	\$ 110.00	\$ 55.00
_____	two months	\$ 410.00	\$205.00
_____	three months	\$ 930.00	\$465.00
_____	four months	\$1,450.00	\$725.00
_____	five months	\$1,970.00	\$985.00

Extension fee due with this request \$ paid.

If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)

- \_\_\_\_\_ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.  
Extension fee due with this request \$\_\_\_\_\_.

OR

- (b)\_\_\_\_ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## 5. TOTAL FEE DUE

The total Fee due is:

Appeal Brief Fee of \$ 0, paid with original submission.

Extension Fee (if any) \$ 0.


TOTAL FEE DUE \$\_\_\_\_\_ and \$\_\_\_\_\_.

## 6. FEE PAYMENT AND FEE DEFICIENCY

\_\_\_\_\_ Attached are checks in the amounts of \$\_\_\_\_\_ and \$\_\_\_\_\_.

- X If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,



Thomas W. Humphrey  
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